

**Senate File 186 - Introduced**

SENATE FILE 186

BY DANIELSON

**A BILL FOR**

1 An Act relating to limitations on the timing of public school  
2 district bond elections and including effective date  
3 provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 75.1, subsection 2, Code 2017, is amended  
2 to read as follows:

3 2. a. When a proposition to authorize an issuance of bonds  
4 by a political subdivision subject to this chapter that is not  
5 a school district has been submitted to the electors under  
6 this section and the proposal fails to gain approval by the  
7 required percentage of votes, such proposal, or any proposal  
8 which incorporates any portion of the defeated proposal, shall  
9 not be submitted to the electors for a period of six months  
10 from the date of such regular or special election and may only  
11 be submitted on a date specified in section 39.2, subsection 4,  
12 paragraph "a", "b", or "c", as applicable.

13 b. Except as provided in paragraph "c", when a proposition  
14 to authorize an issuance of bonds by a school district has  
15 been submitted to the electors under this section, another  
16 proposition to issue bonds by the school district submitted to  
17 the electors on or after the effective date of this Act shall  
18 not be submitted to the electors for a period of six months  
19 from the date of such regular or special election and may only  
20 be submitted on a date specified in section 39.2, subsection  
21 4, paragraph "c".

22 c. When a proposition to authorize an issuance of bonds by  
23 a school district has been submitted to the electors under this  
24 section and the proposal fails to gain approval by the required  
25 percentage of votes, such proposal, or any proposal which  
26 incorporates any portion of the defeated proposal, submitted to  
27 the electors on or after the effective date of this Act shall  
28 not be submitted to the electors for a period of time specified  
29 in this paragraph "c" from the date of such regular or special  
30 election and may only be submitted on a date specified in  
31 section 39.2, subsection 4, paragraph "c". The period of time  
32 for which a proposition to authorize an issuance of bonds may  
33 not be submitted to the electors under this paragraph "c" shall  
34 be as follows:

35 (1) If such a proposition has failed at one immediately

1 preceding election at which such a proposition appeared on the  
2 ballot, six months.

3 (2) If such a proposition has failed at the two immediately  
4 preceding elections at which such a proposition appeared on the  
5 ballot, one year.

6 (3) If such a proposition has failed at the three or more  
7 immediately preceding elections at which such a proposition  
8 appeared on the ballot, the number of years equal to the number  
9 of immediately preceding elections at which the proposition was  
10 defeated.

11 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
12 immediate importance, takes effect upon enactment.

13 EXPLANATION

14 The inclusion of this explanation does not constitute agreement with  
15 the explanation's substance by the members of the general assembly.

16 This bill makes changes relating to election requirements  
17 and limitations for the issuance of certain bonds by school  
18 districts.

19 Current law provides that when a bond proposition is  
20 submitted to voters and fails to gain approval, the entity  
21 submitting the proposal is prohibited from resubmitting the  
22 proposal to voters, in any form, for a period of six months.

23 Under the bill, if a school district submits a proposal  
24 to issue bonds to the voters, the school district is then  
25 prohibited from submitting another bond proposal to voters for  
26 a period of six months. Additionally, if a school district  
27 submits a proposal which fails to gain approval of the voters,  
28 the school district is then prohibited from resubmitting the  
29 proposal or any proposal which incorporates any portion of the  
30 defeated proposal to voters for a period of time specified in  
31 the bill. The period of time for which such a proposition may  
32 not be submitted to the electors shall be as follows: (1) if  
33 such a proposition has failed at one immediately preceding  
34 election at which such a proposition appeared on the ballot,  
35 six months; (2) if such a proposition has failed at the two

1 immediately preceding elections at which such a proposition  
2 appeared on the ballot, one year; (3) if such a proposition has  
3 failed at the three or more immediately preceding elections at  
4 which such a proposition appeared on the ballot, the number of  
5 years equal to the number of immediately preceding elections at  
6 which the proposition was defeated.

7 Code section 75.1 applies to school corporations, which  
8 by operation of Code section 260C.16, includes merged areas  
9 (community colleges). The bill does not apply to merged areas.  
10 The bill takes effect upon enactment.